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MESSAGE:

Applicants: Elizabeth M. Denholm, Yong-Qing Lin, and Paul J. Silver

Serial No.: 09/715,965 Art Unit: 1651

Filed: November 17, 2000 Examiner: Meller, M.

For: ATTENUATION OF TUMOR GROWTH, METASTASIS AND ANGIOGENESIS

ATLJ #511177 v1.

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# CONTINUED PROSECUTION APPLICATION (CPA)

## REQUEST TRANSMITTAL

*Submit an original, and a duplicate for fee processing.  
(Only for Continuation or Divisional applications under 37 CFR 1.53(d))*

CHECK BOX if applicable:  
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**Address to:**

**Assistant Commissioner for Patents**  
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Attorney Docket No. of Prior Application	IT 106
First Named Inventor	Elizabeth M. Denholm
Examiner Name	M. Meller
Group Art Unit	1651
Express Mail Label No.	

This is a request for a  continuation or  divisional application under 37 CFR 1.53(d),  
(continued prosecution application (CPA)) of prior application number 09 / 715,965  
ATTENUATION OF TUMOR GROWTH, METASTASIS  
filed on 11/17/00, entitled AND ANGIOGENESIS

**NOTES**

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. Effective May 29, 2000, a CPA may only be filed in a utility or a plant application if the prior nonprovisional application was filed before May 29, 2000. A CPA may be filed in a design application regardless of the filing date of the prior application. See "Request for Continued Examination Practice changes to and Provisional Application Practice," Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14866 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office (Apr. 11, 2000).

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

1.  Enter the unentered amendment previously filed on \_\_\_\_\_ under 37 CFR 1.116 in the prior nonprovisional application.
2.  A preliminary amendment is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
  - a.  **DELETE** the following inventor(s) named in the prior nonprovisional application:  
.....  
.....  
.....
  - b.  The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4.  A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. Information Disclosure Statement (IDS) is enclosed:
  - a.  PTO-1449
  - b.  Copies of IDS Citations

[Page 1 of 2]

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PTO/SB/28 (08-00)

Approved for use through 10/31/2002. OMB 0651-0032  
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CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c) or (f))	18 -20* =	0	x \$ _____ =	\$ -0-
	INDEPENDENT CLAIMS (37 CFR 1.16(b) or (f))	1 -3** =	0	x \$ _____ =	-0-
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$ 270.00 =	-0-
				BASIC FEE (37 CFR 1.16)	740.00
			Total of above Calculations =	740.00	
	Reduction by 50% for filing by small entity (Note 37 CFR 1.27).				370.00
	* Reseue claims in excess of 20 and over original patent.			TOTAL =	370.00
	** Reseue independent claims over original patent.				

6.  Small entity status: Applicant claims small entity status. See 37 CFR 1.27.

7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 50-1868:  
a.  Fees required under 37 CFR 1.16.  
b.  Fees required under 37 CFR 1.17.  
c.  Fees required under 37 CFR 1.18.

8.  A check in the amount of \$\_\_\_\_\_ is enclosed.

9.  Payment by credit card. Form PTO-2038 is attached.

10.  Applicant requests suspension of action under 37 CFR 1.103(b) (fee under 37 CFR 1.17(i) enclosed).

11.  New Attorney Docket Number, if desired \_\_\_\_\_  
(Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.)

12. a.  Receipt For Facsimile Transmitted CPA (PTO/SB/29A)  
b.  Return Receipt Postcard (Should be specifically itemized, See MPEP 503)

13.  Other: \_\_\_\_\_

**NOTE:** The prior application's correspondence address will carry over to this CPA  
UNLESS a new correspondence address is provided below.

**14. NEW CORRESPONDENCE ADDRESS:**

**15. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print /Type):	Patricia L. Pabst
Signature:	
Registration No. (Attorney/Agent):	31,284
Date:	August 1, 2002

PTO/SB/97 (12-07)

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Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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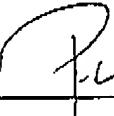
U.S.S.N. 09/715,965  
Filed November 17, 2000  
CPA, Amendment, Petition for  
Extension of Time

**Certificate of Transmission under 37 CFR 1.8**

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**1. ADDRESS**      Applicant's Mailing Address for this receipt must be  
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Patrea L. Pabst  
HOLLAND & KNIGHT LLP  
One Atlantic Center  
1201 West Peachtree Street, Suite 2000  
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**RECEIPT****FOR****FACSIMILE TRANSMITTED****CPA**

(To accompany a request for  
a Continued Prosecution Application (CPA)  
under 37 CFR 1.53(d)  
filed by facsimile transmission)

**NOTE:** By this receipt, the PTO (a) acknowledges that a request for a CPA was filed by facsimile transmission on the date stamped below by the PTO and (b) verifies only that the application number provided by the applicant on this receipt is the same as the application number provided on the accompanying request for a CPA. This receipt CANNOT be used to acknowledge receipt of any paper(s) other than the request for a CPA.

**2. APPLICATION IDENTIFICATION:**

(Provide at least enough information to identify the application)

**a. For prior application**

Application No: 09/715,965  
Filing Date: November 17, 2000  
Title: ATTENUATION OF TUMOR GROWTH, METASTASIS AND ANGIOGENESIS  
Attorney Docket No: IT 106  
First Named Inventor: Elizabeth M. Denholm

**b. For instant CPA application**

New Attorney Docket No: .....  
(If applicable)

The PTO date stamp, which appears in the box to the right, is an acknowledgement by the PTO of receipt of a request for a CPA filed by facsimile transmission on the date indicated below.

(THIS AREA FOR PTO DATE STAMP USE)

**PTO HANDLING INSTRUCTIONS:**

Please stamp area to the right with the date the complete transmission of the request for a CPA was received in the PTO and also include the PTO organization name that provided the date stamp (stamp may include both items). Verify that the application number provided by applicant on this receipt is the same as the application number provided by applicant on the request for a CPA accompanying this receipt. If there is an inconsistency between the application number provided on this receipt and the request for a CPA, strike through the inconsistent application number provided on this receipt and insert the correct application number, if possible. Then place in a window envelope and mail.

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#12/13  
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8-1-02

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Elizabeth M. Denholm, Yong-Qing Lin, and Paul J. Silver

Serial No.: 09/715,965 Art Unit: 1651

Filed: November 17, 2000 Examiner: M. Meller

For: ATTENUATION OF TUMOR GROWTH, METASTASIS AND ANGIOGENESIS

Assistant Commissioner for Patents  
Washington, D.C. 20231

## AMENDMENT

Sir:

Responsive to the Office Action mailed April 1, 2002, please amend the application as follows. A Petition for an Extension of Time for one month, up to and including August 1, 2002, and the appropriate fee for a small entity, are enclosed. Also enclosed is a request for filing a Continuing Prosecution Application.

In the Claims *Who has cancer*

1. (twice amended) A method to decrease [tumor growth] angiogenesis comprising administering to [tumors in] a site in an individual in need of treatment thereof an effective amount of a purified glycosaminoglycan degrading enzyme to decrease angiogenesis [and thereby reduce tumor growth] at the site, wherein the decrease in angiogenesis is measured as a decrease in endothelial cell proliferation or a decrease in the formation of capillary-like structures.

*chondroitinase AC*